

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Patent Application**

Applicant(s): Driesen et al.  
Case: Driesen 5-3  
Serial No.: 10/562,617  
Filing Date: May 23, 2007  
Group: 2617  
Examiner: Yu Gu

Title: Method and Apparatus For Backwards Compatible Communication in a Multiple Antenna Communication System Using FDM-Based Preamble Structures

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TRANSMITTAL OF APPEAL BRIEF

Mail Stop Appeal Brief  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following documents relating to the above-identified patent application:

1. Appeal Brief;
2. Copy of Notice of Appeal, filed on September 29, 2011, with copy of Electronic; and Acknowledgment Receipt indicating receipt of Notice by PTO on September 29, 2011.

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-0762** as required to correct the error.

Respectfully,

/Kevin M. Mason/

Date: November 29, 2011

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## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	11077126
<b>Application Number:</b>	10562617
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	6193
<b>Title of Invention:</b>	Methods and Apparatus for Backwards Compatible Communication in a Multiple Antenna Communication System Using FDM-Based Preamble Structures
<b>First Named Inventor/Applicant Name:</b>	Bas Driesen
<b>Customer Number:</b>	47386
<b>Filer:</b>	Kevin M. Mason
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	Driesen 5-3
<b>Receipt Date:</b>	29-SEP-2011
<b>Filing Date:</b>	23-MAY-2007
<b>Time Stamp:</b>	14:10:44
<b>Application Type:</b>	U.S. National Stage under 35 USC 371

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Notice of Appeal Filed	1150-1277_NoticeofAppeal_9-29-11.pdf	153256 <small>98a110a55470f615a2c02a1c07d63951995147738</small>	no	1

### Warnings:

Information:
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.


**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) Driesen 5-3	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" OR _____  Signature _____ Typed or printed name _____		In re Application of <b>Driesen et al.</b> Application Number <b>10/562,617</b> Filed <b>May 23, 2007</b> For Method and Apparatus For Backward Compatible Communications in a Multiple Antenna Communication System Using FDM Based Preamble Structures Group Art Unit <b>2617</b> Examiner <b>Yu Gu</b>	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner			
The fee for this Notice of Appeal is (37 CFR 1.17(b))		<b>\$ 540.00</b> (Prev. Paid)	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		<b>\$ _____</b>	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0762</u> . I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed			
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>			
I am the		 _____ Signature	
<input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		_____ Kevin M. Mason Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent of record.			
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____		_____ September 29, 2011 Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> *Total of _____ forms are submitted.			

Budget/Use Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231